IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 16409 of 2007(C)

PETITIONERS:

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1. MATHEW SEBASTIAN, S/O SEBASTIAN, AGED 54 YEARS, THENGUMPALLIL HOUSE, KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

2. V.C.JOHNSON, S/O CHACKO, AGED 41 YEARS, RESIDING VARAVUKALAYIL HOUSE, PANTHALAMPADAM, PANNIYANKARA P.O., PALAKKAD DISTRICT.

BY ADV. SRI.JOICE GEORGE

RESPONDENTS:

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1. THE DIRECTOR, DEPARTMENT OF DIARY DEVELOPMENT, OFFICE OF THE DIRECTOR OF DIARY DEVELOPMENT, THIRUVANANTHAPURAM.

2. THE DY.DIRECTOR, DEPARTMENT OF DIARY DEVELOPMENT, PALAKKAD DISTRICT, OFFICE OF THE DY.DIRECTOR OF DIARY DEVELOPMENT, PALAKKAD.

3. KALLINKALPADAM KSHEEROLPATHAKA SAHAKARANA SANGAM, LIMITED NO.P 93 (D) APCOS, REP.BY ITS SECRETARY, PANNIYANKARA P.O., PALAKKAD.

4. K.A.APPUNNI, ANDIKULATHINKAL HOUSE, KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

5. A.N.PRAHLADHAN,
ALAKKUNNIL HOUSE, KALLINKAL PADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

6. K.P.CHANDRAN, KALLINKALPADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

7. V.CHATHUNNI, KALLINKALPADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

8. A.C.DASAN, ALAKKUNNIL HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O.,
PALAKKAD DISTRICT.

9. C.C.CHANDABOSE, CHUNKATHODIYIL HOUSE,
PATHALAMPADAM, PANNIYANKARA P.O.,
PALAKKAD DISTRICT.

10. PONNAN, KUNNUMPURAM HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

11. K.N.RAJU, S/O.K.K.NARAYANAN,
KALATHINKAL HOUSE,
PANNIYANKARA P.O., KALLINKALPADAM, PALAKKAD DIST.

12. P.V.ABRAHAM, SS/O.VARGHESE,
PULINADU HOUSE, KALLINKALPADAM, PANNIYANKARA P.O.,
PALAKKAD DISTRICT.

13. P.V.THOMAS, S/O VARGHESE, PULINADU HOUSE
KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

14. ANNAMMA KURIYAKOSE,
W/O.KORIYAKOSE, PULINADAU HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

15. K.K.NARAYANAN, KULATHINKAL HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O.,
PALAKKAD DISTRICT.

16. K.K.KRISHNANKUTTY, PARAKKAL HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

17. P.K.MOHANDAS, KULATHINKAL HOUSE,
KALLINKALPADAM, PANNIYANKARA P.O., PALAKKAD DIST.

18. A.K.SHOWKATH, KALLINKALPADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

19. SHERLY DEVASYA,
W/O.DEVASYA, KALAPPURAKAL HOUSE,
PANNIYANKARA P.O., KALLINKALPADAM, PALAKKAD DIST.

20. LILLY GEORGE, W/O GEORGE,
MANNIL HOUSE, PANNIYANKARA P.O.,
KANNINKALPADAM P.O., PALAKKAD DISTRICT.

21. PREMA, KALLINKALPADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

22. M.SULAIMAN, KALLINKALPADAM,
PANNIYANKARA P.O., PALAKKAD DISTRICT.

23. SHAJI VARGHESE, S/O VARGHESE,
PULINADU HOUSE, PANNIYANKARA P.O.,
PALAKKAD DISTRICT.

R1 & R2 BY GOVERNMENT PLEADER (SHRI P. N. SANTHOSH)

BY ADV. SRI.ASOK M.CHERIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.16409 OF 2007 C

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER DATED 10.2.2007 OF THE 2ND RESPONDENT, DY. DIRECTOR, DAIRY DEVELOPMENT DEPARTMENT, PALAKKAD.

EXT.P2 TRUE COPY OF THE REPRESENTATION DATED 9.5.2007 SUBMITTED BY PETITIONERS BEFORE THE SECOND RESPONDENT.

// TRUE COPY//

PPPS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 16409 OF 2007 C

Dated this the 6th June, 2007

JUDGMENT

Petitioners are Members of third respondent Society. First petitioner was the previous President and the second petitioner was a Member of the Director Board of the Society. The Managing Committee was superseded for want of quorum. According to petitioners, respondents 4 to 6 have manipulated the Records and Registers to include more Members in the list of active Members of the Society because, only the active Members can contest and vote in the next election. Petitioners have preferred Ext.P2 before the second respondent. Counsel for petitioners submits that a decision may be taken on Ext.P2. After having heard the counsel appearing on behalf of the parties, the Writ Petition is disposed of directing the second respondent to consider and take a decision on Ext.P2 in accordance with law, within a period of ten weeks from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

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